

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

-----X	
EXXON MOBIL CORPORATION,	:
	:
Plaintiff,	:
	:
- v. -	:
	:
MAURA TRACY HEALEY, Attorney General	:
of Massachusetts, in her official capacity,	:
	:
Defendant.	:
	:
-----X	

No. 4:16-cv-469-K

MOTION FOR LEAVE TO PROCEED WITHOUT LOCAL COUNSEL

Pursuant to Local Rule 83.10(a), the States of Maryland, New York, Alaska, Connecticut, Hawai‘i, Illinois, Iowa, Kentucky, Maine, Minnesota, Mississippi, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia and U.S. Virgin Islands (“proposed *amici* States”) respectfully move for leave to participate as *amici curiae* in this matter without local counsel. This motion is filed contemporaneously with the proposed *amici* States’ Motion for Leave To File a Memorandum of Law in Support of Defendant’s Motion To Dismiss and in Opposition to Plaintiff’s Motion for a Preliminary Injunction, the proposed *amici* States’ Memorandum of Law supporting that motion, and the related Applications for Admission *Pro Hac Vice*.

The proposed *amici* States do not request party status or oral argument time, and seek leave only to file an *amici curiae* brief to provide the Court with useful information that will aid the Court in resolving the parties’ pending motions. Accordingly, an order granting leave to file the *amici curiae* brief would likely end the proposed *amici* States’ continued participation in this litigation and obviate the need for local counsel.

The proposed *amici* States therefore respectfully seek leave to proceed without local counsel.

Dated: Baltimore, Maryland
August 17, 2016

Respectfully submitted,

ERIC T. SCHNEIDERMAN
Attorney General
State of New York
BARBARA D. UNDERWOOD
Solicitor General
ANISHA S. DASGUPTA
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CERTIFICATE OF CONFERENCE (Local Rule 7.1)

Thiru Vignarajah, counsel for movant the State of Maryland, conferred via telephone on August 5, 2016, with Daniel Toal, counsel for plaintiff Exxon Mobil Corporation. On April 6, 2016, Thiru Vignarajah received an e-mail from Michele Hirschman, counsel for plaintiff Exxon Mobil Corporation, stating that plaintiff opposes movants' request to proceed without local counsel. On August 15, 2016, Judith Vale, counsel for movant the State of New York, left a voicemail for Daniel Toal regarding the amendment of this motion to add States that joined the brief after the initial filing date. On August 16, 2016, Judith Vale received a voicemail from Justin Anderson, counsel for plaintiff Exxon Mobil Corporation, stating that plaintiff continues to oppose the motion.

Judith Vale conferred via telephone on August 4, 2016, with Assistant Attorney General Christophe Courchesne, counsel for defendant Massachusetts Attorney General Maura Healey, and received confirmation on that date that defendant consents to movants' request to proceed without local counsel. Judith Vale conferred via telephone on August 16, 2016, with Assistant Attorney General Melissa Hoffer, counsel for defendant Massachusetts Attorney General Maura Healey, about the amendment of this motion, and received confirmation on that date that defendant continues to consent to the motion.

Respectfully submitted,

ERIC T. SCHNEIDERMAN

*Attorney General
State of New York*

BARBARA D. UNDERWOOD

Solicitor General

ANISHA S. DASGUPTA

Deputy Solicitor General

JUDITH N. VALE

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/s/ Thiruvendran Vignarajah

THIRUVENDRAN VIGNARAJAH

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August, 2016, I caused the foregoing Motion To Proceed Without Local Counsel to be served on all parties via the Court's CM/ECF system.

/s/Thiruvendran Vignarajah
Thiruvendran Vignarajah